

**IN THE UNITED STATES BANKRUPTCY
COURT FOR THE EASTERN DISTRICT OF
TEXAS SHERMAN DIVISION**

IN RE: §
§
FRANK MCLAIN MORGAN § **CASE NO. 19-40893**
§
Debtor § **CHAPTER 13**

**EXPEDITED MOTION TO EXTEND DEBTOR'S TIME TO
FILE OBJECTION TO PROOF OF CLAIM # 5 FILED BY SFMC, LP
DBA SERVICE FIRST MORTGAGE COMPANY**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Frank McLain Morgan, ("Debtor") respectfully files this motion to extend his time to object to Proof of Claim # 5 Filed by the SFMC, LP DBA Service First Mortgage Company ("SFMC") by 60 days to July 20, 2020.

1. Debtor filed for bankruptcy protection under Chapter 13 on April 1, 2019.
2. Debtor filed a Chapter 13 plan on November 23, 2019.
3. The Court issued its confirmation order on January 10, 2020.
4. The Trustee's Reconciliation Concerning Claims ("TRCC") was filed on April 29, 2020.

5. The current deadline to file claim objections is May 20, 2020 (the 21-first day following service of the TRCC).

Cause for Extending Time to File Objection

6. Debtor is interested in entering into agreements with his mortgage creditor and the IRS to permit him to exit bankruptcy and submit an offer in compromise of his tax debt.
7. Debtor is a dentist and he is currently unable to work due to the corona virus.

8. Additional time is needed to evaluate Debtor's future income for the purpose of settlement negotiations.

No Prejudice to the Parties

9. The confirmed plan treats the full amount of SFMC's claim so any delay in resolving proof of claim is not a financial detriment to the creditor.

10. The Chapter 13 Trustee does not oppose the requested extension.

11. The extension is sought to permit negotiations to be conducted without the presence of a contested or adversarial filing.

WHEREFORE, PREMISES CONSIDERED, Debtor prays that the Court: (1) Enter an order extending the time for Debtor to file an objection to Proof of Claim # 5 Filed by SFMC, LP DBA Service First Mortgage Company to July 20, 2020; and (2) Grant any other such relief as the Court determines just and proper.

Dated: May 18, 2020

Respectfully submitted,

THE MITCHELL LAW FIRM, L.P.
1412 Main Street, Suite 500
Dallas, Texas 75202
(972) 463-8417 - Office
(972) 432-7540 - Facsimile

By: /s/ Gregory W. Mitchell

Gregory W. Mitchell
State Bar ID: 00791285
greg@mitchellps.com
George D. Wigington
State Bar ID: 24091665
dale@mitchellps.com

ATTORNEY FOR DEBTOR

CERTIFICATE OF CONFERENCES

I certify that on May 18, 2020 at 1:27 pm Michael Weems, counsel for SFMC, advised via email that it did not appear likely that SFMC would agree to an extension of the bar date to object to Proof of Claim # 5 Filed by the SFMC.

I certify that on May 18, 2020 at 1:39 pm Jeff LeForce, counsel for the Chapter 13 Trustee, advised in an email that he was not opposed to a 60-day extension of the bar date to object to Proof of Claim # 5 Filed by the SFMC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on May 18, 2020, a true and correct copy of the foregoing was served on all parties in interest below via CM/ECF.

CREDITOR SFMC, LP DBA Service First Mortgage Company

Michael Weems
Hughes, Watters & Askanase, LLP
1201 Louisiana, 28th Floor
Houston, TX 77002
MLWeems@hwa.com

STANDING CHAPTER 13 TRUSTEE

Carey D. Ebert
P. O. Box 941166
Plano, TX 75094-1166
ECFch13plano.com

PARTIES REQUESTING NOTICE

Attorney for Rockwall CAD
Melissa L. Palo
LINEBARGER GOGGAN BLAIR & SAMPSON, LLP
2777 N. Stemmons Freeway, Suite 1000
DALLAS, TX 75207
dallas.bankruptcy@publicans.com

/s/ Gregory W. Mitchell
Gregory W. Mitchell